

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

DAVID SMITH,

Plaintiff,

vs.

SARGENT TURNER, in their Individual capacities; CORPORAL BELL, AND in their Individual capacities; and DIANE SABATKA-RINE, Warden (N.S.P.);

Defendants.

4:13CV3041

ORDER

This matter is before the Court on the Motion for Reimbursement from the Federal Practice Fund (Filing No. 109) filed by Plaintiff's counsel, Andre R. Barry. Plaintiff's counsel seeks reimbursement of \$1,819.15 for court reporting fees incurred in the course of representing Plaintiff David Smith. Counsel's request is supported by a voucher. (Filing No. 109 at ECF 3-5.) Local General Rule 1.7 established the Federal Practice Fund to reimburse appointed counsel in civil cases for out-of-pocket expenses incurred in representing indigent parties. See NEGenR 1.7(g) and (h). The Federal Practice Fund is administered through the Amended Plan for the Administration of the Federal Practice Fund and the Federal Practice Committee ("the Plan").¹

Attachment A to the Plan ("Attachment A") states that NEGenR 1.7 limits reimbursement to those expenses a) reasonably incurred after advance authorization, and b) for which no other source of payment exists. The Plan also authorizes counsel to incur some expenses without prior authorization. Paragraph 1.a. of Attachment A

¹ The Plan is available to the public through the Court's website at <http://www.ned.uscourts.gov/attorney/federal-practice-committee>.

authorizes counsel to incur up to \$500 in reasonable and necessary expenses without prior authorization. See Attachment A Paragraph 1.b.

Paragraph 3.f. expressly authorizes reimbursement for court reporter fees for depositions of essential witnesses. Although there is no indication in the record showing preauthorization for litigation expenses in excess of \$500, the Court will approve reimbursement of Plaintiff's counsel for the full amount incurred and requested.

IT IS ORDERED:

1. The Motion for Reimbursement from the Federal Practice Fund (Filing No. 109) filed by Plaintiff's counsel is granted;
2. Expenses are ordered reimbursed to Plaintiff's counsel in the amount of \$1,819.15; and
3. A copy of this Order shall be provided to Pat Williamson of the Clerk of Court's Office so that he may make arrangements for payment from the Federal Practice Fund, and appropriate bookkeeping entries.

Dated this 2nd day of June, 2016

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge